

ABRAHAM, FRUCHTER
& TWERSKY, LLP
IAN D. BERG (Bar No. 263586)
TAKEO A. KELLAR (Bar No. 234470)
11622 El Camino Real, Suite 100
San Diego, CA 92130
Tel: (858) 764-2580
Fax: (858) 764-2582
iberg@aftlaw.com
tkellar@aftlaw.com

Attorneys for Movant/Plaintiff Pyramid Holdings, Inc.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JUAN M. RODRIGUEZ BELTRAN,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiff,

v.

TERRAFORM GLOBAL, INC., et al.,

Defendants.

) Case No. 5:15-cv-04981-BLF

)

) **PYRAMID HOLDINGS, INC.'S**
) **STATEMENT IN SUPPORT OF ITS**
) **MOTION FOR APPOINTMENT AS**
) **LEAD PLAINTIFF**

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

JUDGE: Honorable Beth Labson Freeman
CTRM: 3, 5th Floor

PYRAMID HOLDINGS, INC., Individually
and on Behalf of All Others Similarly Situated,

Plaintiff,

v.

TERRAFORM GLOBAL, INC., et al.,

Defendants.

) Case No. 5:15-cv-05068-BLF

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

)

As this Court is aware, Pyramid Holdings, Inc. (“Pyramid”) was one of only two applicants who timely moved to be appointed as Lead Plaintiff in the consolidated action of the two captioned matters. Initially, this Court found competing movant Furia Investment Fund Limited (“Furia”) to be the presumptive most adequate plaintiff under the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §77z-1(a)(3)(B)(iii) (the “PSRLA”), subject to Pyramid’s challenge to rebut that presumption and the related discovery ordered by this Court. (See ECF No. 95). Now, Furia has withdrawn its application to be appointed Lead Plaintiff (ECF No. 125).

As remains, Pyramid is the only Lead Plaintiff applicant who timely filed for appointment and who is otherwise typical of other class members and adequate to represent class interests. Indeed, Pyramid has already demonstrated to this Court that it will vigorously prosecute this action and protect the interests of all class members. As such, and in light of Furia’s withdrawal, Pyramid respectfully requests that this Court grant its motion to be appointed Lead Plaintiff and for its chosen counsel Abraham, Fruchter & Twersky, LLP to appointed as Lead Counsel.

Dated: June 1, 2016

Respectfully submitted,

ABRAHAM, FRUCHTER &
TWERSKY, LLP

/s/ Ian D. Berg

IAN D. BERG

IAN D. BERG
TAKEO A. KELLAR
11622 El Camino Real, Suite 100
San Diego, CA 92130
Tel: (858) 764-2580
Fax: (858) 764-2582
iberg@aftlaw.com
tkellar@aftlaw.com

- AND -

JACK G. FRUCHTER (to be admitted *pro hac vice*)
MITCHELL M.Z. TWERSKY (to be admitted *pro hac vice*)
One Penn Plaza, Suite 2805
New York, NY 10119

Tel: (212) 279-5050
Fax: (212) 279-3655

*Attorneys for Movant/Plaintiff Pyramid Holdings,
Inc.*